

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No. 3:07-cv-00169

KIMBERLY A. HOYLE AND A. BURTON)
SHUFORD, CHAPTER 7 TRUSTEE OF THE)
BANKRUPTCY ESTATE OF MARK ALAN)
HOYLE AND KIMBERLY ANN HOYLE,)
Plaintiffs,)
v.)
FREIGHTLINER, LLC,)
Defendant.)

CONSENT ORDER

This matter is before the Court on the parties' joint status report regarding discussions concerning the status of this case and the need for further discovery. It appearing that the parties have consented to conduct a mediation conference and, if necessary, to conduct additional discovery for a period of sixty (60) days, the Court finds as follows:

1. In accordance with the Court's instructions provided at the May 24, 2011 status conference, the parties have conferred about the potential resolution of this matter and have agreed to conduct another mediation conference.
2. The parties have scheduled a mediation conference for August 1, 2011 with Kenneth Carlson of the Constangy Brooks law firm. Should the case not be resolved via mediation, the parties will need sixty (60) days to complete discovery in this matter.

It is hereby ORDERED, with the consent of the parties, that no later than ten (10) days following the conclusion of such mediation, the parties shall notify the Court of the outcome of the mediation. Should the mediation result in an impasse, the parties shall have a sixty (60) day

period of time running from the date of such notice to conduct any additional discovery.

Signed: July 7, 2011



Graham C. Mullen
United States District Judge



CONSENTED TO:

s/ Geraldine Sumter

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